

Message Text

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ORIGIN NEA-10

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FM SECSTATE WASHDC
TO AMEMBASSY JIDDA IMMEDIATE

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FOR THE AMBASSADOR

E.O. 11652: N/A

TAGS: SHUM, SA, US

SUBJECT: ADVANCE NOTIFICATION OF HUMAN RIGHTS REPORTS
REF : STATE 18330

1. FINAL TEXT OF HUMAN RIGHTS REPORT FOR SAUDI ARABIA,
WHICH WILL BE SUBMITTED TO CONGRESS BY JANUARY 31, IS
TRANSMITTED HERewith. YOU SHOULD, AT YOUR DISCRETION,
PROVIDE TEXT OF REPORT TO APPROPRIATE HOST GOVERNMENT
OFFICIALS, PRIOR TO THAT DATE.

2. IN PROVIDING ADVANCE COPY TO HOST GOVERNMENT, YOU
SHOULD MAKE THE FOLLOWING POINTS IN EXPLANATION :

--THE EFFECT OF LEGISLATION WHICH BECAME EFFECTIVE LAST
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YEAR IS TO REQUIRE THE SECRETARY TO SUBMIT A "FULL AND
COMPLETE" REPORT ON THE STATUS OF INTERNATIONALLY-
RECOGNIZED HUMAN RIGHTS IN EACH COUNTRY WHICH RECEIVES
EITHER DEVELOPMENT OR SECURITY ASSISTANCE FROM THE UNITED
STATES.

--WE BROUGHT THIS LEGAL REQUIREMENT TO THE ATTENTION OF

THE SAUDI ARABIA GOVERNMENT LAST NOVEMBER.

--109 SUCH HUMAN RIGHTS REPORTS WILL BE SUBMITTED TO THE CONGRESS O/A JANUARY 31. WE ARE PROVIDING THEREFORE AN

ADVANCE COPY OF THE REPORT ON SAUDI ARABIA.

--CONGRESS HAS EXPRESSLY REQUESTED THAT INFORMATION PUBLISHED BY INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS BE INCLUDED IN THE REPORT.

--THE DEPARTMENT OF STATE WILL NOT DISTRIBUTE THESE REPORTS TO THE PRESS OR PUBLIC OR OTHERWISE DRAW ATTENTION TO THEM. HOWEVER, THEY WILL BE MADE A MATTER OF PUBLIC RECORD BY THE CONGRESS AND WE EXPECT THEY WILL RECEIVE ATTENTION IN THE PRESS.

3. BEGIN TEXT : SAUDI ARABIA IS AN ISLAMIC MONARCHY IN WHICH RELIGIOUS PRECEPTS AND TRADITIONS PLAY A MAJOR ROLE IN THE SOCIETY. BY ORIGIN TRIBAL, IT IS BASICALLY EGALITARIAN AND INDIVIDUALISTIC. SAUDIS HAVE A FINELY DRAWN SENSE OF JUSTICE.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM :

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A. TORTURE

TO THE BEST OF OUR KNOWLEDGE, TORTURE IS NOT OFFICIALLY SANCTIONED OR PRACTICED IN SAUDI ARABIA. THERE ARE OCCASIONAL ISOLATED REPORTS OF TORTURE, BUT NONE HAS BEEN CONFIRMED OR DOCUMENTED.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

ISLAMIC LAW, WHICH IS THE "CONSTITUTION" OF SAUDI ARABIA, SANCTIONS THE PRACTICE OF SEVERING THE HAND OF CONVICTED THIEVES. THIS PUNISHMENT IS NOT METED OUT TO FIRST OR SECOND OFFENDERS BUT ONLY TO CLEAR RECIDIVISTS. CAPITAL PUNISHMENT BY PUBLIC BEHEADING IS PROVIDED FOR BY LAW FOR MURDER AND OTHER HEINOUS CRIMES, BUT IN PRACTICE IT IS RARELY USED. PRISONERS LIVE UNDER DIFFICULT CONDITIONS, PARTICULARLY DURING THE HOT SEASON, BUT ARE NOT WANTONLY MISTREATED.

C. ARBITRARY ARREST OR IMPRISONMENT

ARBITRARY ARREST AND DETENTION ARE NOT CONDONED OR PRAC-

TICED BY THE GOVERNMENT. THERE IS NO EVIDENCE THAT INDIVIDUALS ARE PRESENTLY INCARCERATED IN SAUDI ARABIA FOR THEIR POLITICAL BELIEFS. FOREIGNERS ACCUSED OF BREAKING THE LAW ARE FREQUENTLY DEPORTED AND PROHIBITED RE-ENTRY INTO THE KINGDOM.

D. DENIAL OF FAIR PUBLIC TRIAL

SAUDI ARABIA'S JUDICIAL SYSTEM IS BASED DIRECTLY ON ISLAMIC LAW. THE ACCUSED IS TRIED BEFORE QUALIFIED AND IMPARTIAL JUDGES. TRIALS ARE OPEN TO THE PUBLIC, INCLUDING US CONSULAR OFFICIALS, EXCEPT WHEN THE SECURITY OF THE STATE IS DEEMED TO BE AT STAKE. SUCH CLOSED TRIALS HAVE OCCURRED RARELY IN RECENT YEARS. EXTENSIVE POLICE INVESTIGATIONS AND ADMINISTRATIVE DEFICIENCIES FREQUENTLY LIMITED OFFICIAL USE

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LEAD TO DELAY OF TRIALS, DURING WHICH TIME, IN CRIMINAL CASES, THE ACCUSED NORMALLY REMAINS IN JAIL. SHOULD PARTIES IN A CRIMINAL TRIAL BE DISSATISFIED WITH THE VERDICT, THEY HAVE THE RIGHT TO APPEAL.

E. INVASION OF THE HOME

SAUDI LAW AND CUSTOM REQUIRE RESPECT FOR PRIVACY. HOWEVER, SAUDI LAW ENFORCEMENT AUTHORITIES DO NOT HESITATE TO SEARCH PREMISES WITHOUT A WARRANT IN CASES WHERE THEY HAVE REASON TO BELIEVE ILLEGAL ACTIVITIES ARE TAKING PLACE. SUCH CASES ARE NOT COMMON.

2. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION

THE SAUDI GOVERNMENT IS USING ITS OIL REVENUES FOR THE BENEFIT OF THE POOR. FREE EDUCATION AND HEALTH CARE FACILITIES ARE BEING DEVELOPED AS RAPIDLY AS POSSIBLE. IF ADEQUATE MEDICAL CARE IS NOT AVAILABLE WITHIN THE KINGDOM, THE PATIENT AND ONE FAMILY ESCORT WILL BE FLOWN ABROAD AT GOVERNMENT EXPENSE. A REAL ESTATE DEVELOPMENT FUND, WHICH PROVIDES INTEREST-FREE 25-YEAR LOANS, HAS BEEN CREATED TO FINANCE THE ACQUISITION OF HOMES BY SAUDI CITIZENS. THE GOVERNMENT SUBSIDIZES BASIC FOODSTUFFS. IN ADDITION TO ITS CONCERN FOR THE WELFARE OF ITS OWN PEOPLE, THE SAUDI GOVERNMENT IS A MAJOR SOURCE OF FOREIGN AID TO POORER COUNTRIES.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND LIMITED OFFICIAL USE

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ASSEMBLY

SAUDIS ARE GENERALLY FREE TO SAY WHATEVER THEY WISH; INDEED, CITIZENS ARE INVITED TO TAKE THEIR GRIEVANCES TO HIGHER AUTHORITY. THE PRESS IS NOT CENSORED PRIOR TO PUBLICATION BUT IT DOES KEEP WITHIN BOUNDS IT PRESUMES ARE ACCEPTABLE TO THE GOVERNMENT. THUS, CRITICISM OF POLICIES AND SENIOR OFFICIALS IN THE PRESS IS RARE. THERE IS FREQUENT CRITICISM OF THE NEGATIVE EFFECT OF DOMESTIC POLICIES, PARTICULARLY IN THE ECONOMIC SPHERE, AND THE PRESS OFTEN WRITES OF THE FAILURE OF MIDDLE-LEVEL OFFICIALS PROPERLY TO DISCHARGE THEIR DUTIES. THE FOREIGN PRESS IS CENSORED PRIOR TO DISTRIBUTION IN ORDER TO EXCISE PICTURES AND STATEMENTS THAT ARE THOUGHT OFFENSIVE IN THIS TRADITIONAL RELIGIOUS SOCIETY.

UNIONS OR OTHER FORMS OF LABOR ORGANIZATIONS ARE PROHIBITED. OFFICIAL INSTITUTIONS HAVE BEEN ESTABLISHED TO PROTECT THE RIGHTS OF LABOR AND HEAR GRIEVANCES. ALTHOUGH THERE IS NO EXPRESS PROHIBITION ON ASSEMBLY, ANY MEETING OF A POLITICAL NATURE WOULD FALL UNDER THE MORE GENERAL PROHIBITION AGAINST POLITICAL ACTIVITY AND ORGANIZATIONS.

ISLAM IS THE ESTABLISHED RELIGION OF SAUDI ARABIA AND SAUDIS ARE NOT PERMITTED TO PRACTICE OTHER RELIGIONS, ALTHOUGH NON-MUSLIM FOREIGNERS HAVE BEEN ABLE TO HOLD PRIVATE AND DISCREET RELIGIOUS SERVICES.

WOMEN IN SAUDI ARABIA OCCUPY A SOCIAL POSITION QUITE DIFFERENCE FROM THAT OF WOMEN IN THE WEST. BY TRADITION AND, TO SOME EXTENT, BY ISLAMIC LAW(AS THE SAUDIS INTERPRET IT), WOMEN ARE SEGREGATED FROM ALL MEN EXCEPT CLOSE RELATIVES. THEIR PRIMARY FOCUS IS ON HOME AND FAMILY, ALTHOUGH WITHIN THAT CONTEXT THEY CAN BECOME VERY INFLUENTIAL. WHEN THEY LEAVE THEIR HOMES, THEY ARE EXPECTED

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TO BE VEILED AND WITH A MALE ESCORT. THEY CAN BE EASILY DIVORCED (BUT CANNOT EASILY DIVORCE THEIR HUSBANDS). MEN CAN HAVE UP TO FOUR WIVES. WOMEN'S OPPORTUNITIES FOR EMPLOYMENT ARE LIMITED TO CERTAIN OCCUPATIONS WHERE CONTACT WITH MEN IS MINIMAL. IN RECENT YEARS MAJOR CHANGES HAVE TAKEN PLACE IN THE ACTUAL SITUATION, IF NOT THEORETICAL STATUS, OF WOMEN. AN INCREASING NUMBER ARE

BEING EDUCATED, AND SOME HAVE STUDIED FOR ADVANCED DEGREES ABROAD. DIVORCE IS LESS COMMON IN SAUDI ARABIA THAN IN WESTERN COUNTRIES, AND POLYGAMY HAS BECOME RARE. MORE AND MORE SAUDI WOMEN ARE APPEARING IN PUBLIC WITHOUT VEILS AND AT SOCIAL EVENTS IN THE COMPANY OF THEIR HUSBANDS.

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION

SAUDI MALES ARE GENERALLY FREE TO MOVE ABOUT THE COUNTRY AND TRAVEL ABROAD. NOR ARE THERE OBSTACLES TO EMIGRATION BY THEM. BY SOCIAL CUSTOM, HOWEVER, THE MOVEMENT OF WOMEN IS VERY RESTRICTED. THEY CANNOT DRIVE CARS AND THEY MUST OBTAIN THEIR HUSBAND'S OR FATHER'S PERMISSION TO TRAVEL ABROAD OR TO EMIGRATE.

VISAS FOR TRAVEL INTO SAUDI ARABIA HAVE AT TIMES BEEN REFUSED BY SAUDI AUTHORITIES ON THE BASIS OF RELIGION, BUT SUCH CASES ARE NOW RARE AND LIMITED TO ATHEISTS AND PERSONS THE SAUDIS CONSIDER TO BE A POLITICAL OR RELIGIOUS THREAT TO THE SAUDI STATE.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

SAUDI ARABIA IS AN ISLAMIC MONARCHY WHOSE KING IS CHOSEN
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BY CONSENSUS OF THE SENIOR MEMBERS OF THE ROYAL FAMILY. THE KINGDOM DOES NOT HAVE AN ELECTED ASSEMBLY, AND POLITICAL PARTIES ARE PROHIBITED. THE ACCESSIBILITY OF OFFICIALS AND THE FACT THAT ANY CITIZEN HAS A FAIR CHANCE FOR REDRESS THROUGH PRESENTATION OF PETITION OR GRIEVANCE TO THE KING AT HIS WEEKLY PUBLIC AUDIENCE FUNCTION AS RESTRAINTS AGAINST ARBITRARY USE OF AUTHORITY.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENT INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS

TO THE BEST OF OUR KNOWLEDGE THE SAUDI GOVERNMENT HAS NOT BEEN ASKED TO ACCEPT OUTSIDE INDEPENDENT INVESTIGATIONS OF ALLEGED HUMAN RIGHTS VIOLATIONS. END TEXT.
VANCE

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